

**SENATE, No. 1120**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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INTRODUCED FEBRUARY 14, 2008

**Sponsored by:**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Essex, Morris, Somerset and Union)**

**SYNOPSIS**

Requires global warming index label on new motor vehicles beginning in model year 2010.

**CURRENT VERSION OF TEXT**

As introduced.



1    **AN ACT** concerning new motor vehicles, and supplementing Title  
2       26 of the Revised Statutes.

3  
4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5       *of New Jersey:*

6  
7       1. The Legislature finds and declares that:

8       a. The use of fossil fuels in motor vehicles is one of the  
9       primary human sources of global warming gases that trap heat in  
10      the Earth's atmosphere, leading to a warming effect on the planet;

11      b. Increasing concentrations of global warming gases in the  
12      atmosphere are likely to accelerate the rate of climate change in  
13      New Jersey;

14      c. Scientific research indicates that the impact of global  
15      warming on our environment will be profound. Global warming  
16      will significantly impact the state's air quality, water resources,  
17      forests, agricultural regions, coastal regions, and the health of the  
18      State's residents;

19      d. Air pollution can cause or aggravate a wide range of serious  
20      health problems, including cancer, birth defects, respiratory  
21      illnesses such as asthma and emphysema, heart and blood ailments,  
22      nervous system toxicity, and premature death;

23      e. Even after years of improvements in vehicle emissions  
24      technologies and effective emissions regulations, many residents of  
25      New Jersey are exposed to unhealthy air;

26      f. Emissions from motor vehicles contribute substantially to  
27      New Jersey's smog-forming pollution; and

28      g. New motor vehicles offered for sale in this State vary  
29      substantially in terms of smog-forming and global warming  
30      emissions.

31  
32      2. The Department of Environmental Protection, in  
33      consultation with the Commissioner of Transportation and the Chief  
34      Administrator of the New Jersey Motor Vehicle Commission, shall  
35      adopt, pursuant to the "Administrative Procedure Act," P.L.1968,  
36      c.410 (C.52:14B-1 et seq.), rules and regulations as are necessary to  
37      effectuate the purposes of this act.

38  
39      3. a. By July 1, 2008, the Department of Environmental  
40      Protection shall adopt a regulation to prohibit the sale and  
41      registration in this State of any new motor vehicle to which there  
42      has not been securely and conspicuously affixed on the driver's side  
43      window or, if it cannot be so placed, to the windshield of the motor  
44      vehicle by the manufacturer a label on which the manufacturer shall  
45      endorse clearly, distinctly, and legibly true and correct entries  
46      disclosing the emission standards that are applicable to that motor  
47      vehicle.

1 Nothing in this subsection or in any other statute shall be  
2 construed as prohibiting a purchaser from removing the decal  
3 required by this section, after the purchaser has taken possession of  
4 the vehicle.

5 b. (1) By July 1, 2009, the department shall revise the  
6 regulation adopted pursuant to subsection a. of this section to  
7 rename the existing label required therein, and to require the  
8 renamed label to include, for model year 2010 and subsequent  
9 model year motor vehicles, information on the emissions of global  
10 warming gases from motor vehicles for the same model year.

11 (2) The provisions of this subsection shall apply to, at a  
12 minimum, all passenger cars and light-duty trucks with a gross  
13 vehicle weight of 8,500 pounds or less.

14 (3) Emissions of global warming gases shall include emissions,  
15 as determined by the department, from vehicle operation and  
16 upstream emissions.

17 c. The label required pursuant to subsection b. of this section  
18 shall include all of the following:

19 (1) A smog index that contains quantitative information  
20 presented in a continuous, easy-to-read scale, unless the department  
21 determines, after at least one public hearing conducted thereon, that  
22 an alternative graphical representation will more effectively convey  
23 the information to consumers, and that compares the emissions from  
24 the vehicle with the average projected emissions from all vehicles  
25 of the same model year sold in the State for which a label is  
26 required. For reference purposes, the index shall also identify the  
27 emissions from the vehicle model of that same model year that has  
28 the lowest smog-forming emissions.

29 (2) A global warming index that contains quantitative  
30 information presented in a continuous, easy-to-read scale, unless the  
31 department determines, after at least one public hearing conducted  
32 thereon, that an alternative graphical representation will more  
33 effectively convey the information to consumers, and that compares  
34 the emissions of global warming gases from the vehicle with the  
35 average projected emissions of global warming gases from all  
36 vehicles of the same model year sold in the State for which a label  
37 is required. For reference purposes, the index shall also identify the  
38 emissions of global warming gases from the vehicle model of that  
39 same model year that has the lowest emissions of global warming  
40 gases.

41 (3) A brief explanation, prepared by the department, of the  
42 indices required by this subsection, including the identification of  
43 motor vehicle usage as a primary cause of global warming, and how  
44 emissions of those gases from motor vehicles may be reduced.

45 (4) The use of at least one color ink, as determined by the  
46 department, in addition to black.

47 d. In order to ensure that the label required pursuant to  
48 subsection b. of this section is useful and informative to consumers,

1 the department shall, to the maximum extent practicable and  
2 feasible in designing the label, seek input from automotive  
3 consumers, graphic design professionals, and persons with expertise  
4 in environmental labeling, or consider other relevant label formats  
5 consistent with the provisions of this subsection.

6 e. The indices included in the label pursuant to subsection c. of  
7 this section shall be updated as determined necessary by the  
8 department to ensure that the differences in emissions among  
9 vehicles are readily apparent to the consumer.

10 f. The department, in consultation with other State departments  
11 or agencies as appropriate, may recommend to the Legislature  
12 additional sources of air pollution that emit significant amounts of  
13 global warming gases for which the disclosure of information  
14 regarding those emissions would be an effective means of educating  
15 the public about the sources of global warming and its impacts.

16 g. The department shall, as it determines appropriate and to the  
17 maximum extent practicable and feasible, incorporate information  
18 from the label into existing environmental programs designed to  
19 educate motor vehicle consumers about emissions of global  
20 warming gases and other air pollutants.

21 h. For the purpose of this section:

22 "Emissions" means the release of greenhouse gases into the  
23 atmosphere.

24 "Global warming gases" means greenhouse gases, including all  
25 of the following gases: carbon dioxide, methane, nitrous oxide,  
26 hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

27 "Upstream emissions" means emissions of global warming gases  
28 that occur during the extraction, refining, transport, and local  
29 distribution of motor vehicle fuels as determined by the department.

30  
31 4. This act shall take effect immediately.  
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#### 34 STATEMENT

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36 This bill requires the Department of Environmental Protection  
37 (DEP), in consultation with the Commissioner of Transportation  
38 and the Chief Administrator of the New Jersey Motor Vehicle  
39 Commission, to adopt a regulation by July 1, 2008 prohibiting the  
40 sale and registration in this State of any new motor vehicle to which  
41 there has not been securely and conspicuously affixed on the  
42 driver's side window or the windshield of the motor vehicle by the  
43 manufacturer a label disclosing the emission standards that are  
44 applicable to that motor vehicle.

45 By July 1, 2009, the DEP must revise this regulation to rename  
46 the existing label, and to require the renamed label to include, for  
47 model year 2010 and subsequent model year motor vehicles,

1 information on the emissions of global warming gases from motor  
2 vehicles for the same model year.

3 The bill requires a specified smog index and a global warming  
4 index to be included on the emissions information label, as  
5 specified, that the DEP is authorized, by regulation, to require. The  
6 regulation would apply, at a minimum, to all passenger cars and  
7 light-duty trucks with a gross vehicle weight of 8,500 pounds or  
8 less.

9 The bill requires the DEP to seek specified input in designing the  
10 label, to update the indices included in the air pollution label as  
11 necessary, to consider other relevant label formats, as specified, and  
12 to incorporate information from the label into existing  
13 environmental programs designed to educate motor vehicle  
14 consumers about emissions of global warming gases and other air  
15 pollutants.

16 The bill authorizes the DEP to recommend to the Legislature  
17 additional sources of air pollution that emit significant amounts of  
18 global warming gases for which the disclosure of information  
19 regarding those emissions would be an effective means of educating  
20 the public about the sources of global warming and its impacts.